## Case 08-12312 Doc 1 Filed 05/14/08 Entered 05/14/08 17:03:32 Desc Main United States Bankruptcy Court Voluntary Potiti Northern District of Illinois Eastern Division

**Voluntary Petition** 

Name of Debtor (if individual, enter Last, F <b>Przybyla, Da</b>	Name of Joint Debtor (Spouse) (Last, First, Middle)  Przybyla, Michelle, Victoria							
All Other Names used by the Debtor in the and trade names):	last 8 years; (include marr	ried, maiden	maide	All Other Names used by the Joint Debtor in the last 8 years; (include married, maiden and trade names):  FKA Michelle Stasiak				
Last four digits of Soc. Sec. or Individual-Ta (if more than one, state all) * Subject to Fed to *** - ** - 724		ur digits of Soc. e than one, state	all\ * Subject		D 0027 See	No./Complete EIN note below.		
Street Address of Debtor (No. & Street, Ci	y, and State):		Street	Address of Joir	nt Debtor (No.	& Street, City	, and State):	:
14823 Kildare Ave			148	323 Kilda	re Ave			
Midlothian IL	11	llothian l	-			60445		
County of Residence or of the Principal Pl	ace of Business:		County	y of Residence	or of the Princ	cipal Place of E	Business:	
СО	OK					соок		
Mailing Address of Debtor (if different from	Mailing	g Address of Jo	int Debtor (if o	different from s	street addres	ss):		
Location of Principal Assets of Business D	ebtor (if different from stree	et address ab	ove):					
Type of Debtor (Form of Organization) (Check one box)	Nature of Busi (Check one bo ☐ Heath Care Busines:	<u>)x.)</u>		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)  Chapter 7				
Individual (includes Joint Debtors) See Exhibit D on page 2 of this form	Single Asset Real Es		-	hapter 9		•	15 Petition f eign Main Pr	or Recognition oceeding
☐ Corporation (includes LLC & LLP)	defined in 11 U.S.C	101 (51B)		hapter 11		_		· ·
☐ Partnership	☐ Stockbroker			hapter 12 hapter 13		•		for Recognition n Proceeding
Other (If debtor is not one of the	Commodity Broker				Nature o	f Debts (Check	one Box)	
above entities, check this box and state type of entity below.)	☐ Clearing Bank☐ Other		■ De	■ Debts are primarily consumer □ Debts are primarily business				
	Tax-Exempt E		- de	debts, defined in 11 U.S.C. debts.				
	(Check box, if appli  Debtor is a tax-exem	,	_	§ 101(8) as "incurred by an individual primarily for a				
	organization under T United States Code			ersonal, family, our pose."	or household			
	Revenue Code).	(tile internal						
Filing Fee (C	neck one box)		Check	one box	Cha	apter 11 Debt	ors	
■ Filing Fee attached			1 -	☐ Debtor is a small business debtor as defined in 11 U.S.C. Sec 101(51D) ☐ Debtor is not a small business debtor as defined in 11 U.S.C. Sec. 101(51D)				
☐ Filing Fee to be paid in installments (ap	plicable in individuals only)	). Must attach	Check		mall business	s debtor as det	rined in 11 U	I.S.C. Sec. 101(51D)
signed application for the court's considurable to pay fee except in installment	, ,							uding debts owed to
☐ Filing Fee wavier requested (applicable				Check all applicable boxes:				
attach signed application for the court's	consideration. See Official	I Form 3B.	1_ ^	<ul> <li>A plan is being filed with this petition.</li> <li>Acceptances of the plan were solicited prepetition from one of more classes</li> </ul>				
				Acceptances of	tne plan were	solicited prep	etition from (	one of more classes
Statistical/Administrative Information Debtor estimates that funds will be available.							This spac	e is for court use only
☐ Debtor estimates that, after any exemption funds available for distribution to unser-	at property is excluded and cured creditors.	administrativ	e expense	es paid, there w	ill be no			
Estimated Number of Creditors			1					
1- 50- 100-	200- 1,000- 5	5,001- 1	0,001	25,001	50,001	Over		
49 99 199 Estimated Assets			5,000 <b>1</b>	50,000	100,000	100,000		
\$0 to \$50,001to \$100,001 to	\$500,001 \$1,000,001 \$		50,000,001	\$100,000,001	\$500,000,001	More than		
\$50,000 \$100,000 \$500,000			\$100 illion	to \$500 million	to \$1billion	\$1 billion		
Estimated Liabilities				<b>-</b>	□ \$500,000,004	□ Mara than		
\$0 to \$50,001to \$100,001 to \$50,000 \$100,000 \$500,000	to \$1 to \$10 t	to \$50 to	50,000,001 \$100 illion	\$100,000,001 to \$500 million	\$500,000,001 to \$1billion	More than \$1 billion		

<sup>\*</sup> Fed.R. Bankr. P. 9037 requires redaction of an individual debtor's taxpayer-identification number (ITIN) -- include last 4 digits only

	ase 08-12312 DOC 1 Filed 05/14/08  Voluntary Petition Document is page must be completed and filed in every case)	Naage⇔2 Doefb4edr(s) Pr	zybyla, David ichelle Victoria	
	All Prior Bankruptcy Case Filed Within Last 8	Years (if more than two, atta	ch additional sheet)	
Location Where F	iled:	Case Number:	Date Filed	l:
None				
	Pending Bankruptcy Case Filed by any Spouse, Partner, or A	ffilate of this Debtor (if more	than one, attach additi	onal sheet)
Name of Debtor:		Case Number:	Date Filed:	·
None				
District:		Relationship:	Judge:	
forms 10K a pursuant to 1934 and is i	Exhibit A  leted if debtor is required to file periodic reports (e.g., nd 10Q with the Securities and Exchange Commission Section 13 or 15 (d) of the Securities Exchange Act of requesting relief under chapter 11.)	I, the attorney for the per that I have informed the chapter 7, 11, 12 or 13	titioner named in the petitioner that (he or a of title 11, United able under each such	s are primarily consumer debts.) foregoing petition, declare she) may proceed under States Code, and have n chapter. I further certify quired by 11 USC §
∐ Exhibi	t A is attached and made a part of this petition.	/s/ I	saiah A Fish	nman
		Isaiah A Fishi	man	Dated: 05/14/2008
No.	Exh  (To be completed by every individual debtor. If a joint petition is fill t D completed and signed by the debtor is attached and made a part a joint petition: t D also completed and signed by the joint debtor is attached and made and made a part a joint petition:	rt of this petition.	te and attach a separate l	Exhibit D.)
	Information Regardi	_	ne	
	Debtor has been domiciled or has had a residence, prin 180 days immediately preceding the date of this petition			
	There is a bankruptcy case concerning debtor's affiliate	, general partner, or partne	ership pending in this [	District.
	Debtor is a debtor in a foreign proceeding and has its p States in this District, or has no principal place of busine or proceeding [in a federal or state court] in this District, relief sought in this District.	ess or assets in the United	States but is a defend	ant in an action
	Certification by a Debtor Who Reside	es as a Tenant of Re	sidential Proper	ty
	Landlord has a judgment against the debtor for possess		(If box checked, comp	elete the
	following.) ${\text{(Name of landlord that obtained judgmer)}}$	ut)	_	
	(Address of Landlord)		_	
	Debtor claims that under applicable nonbankruptcy law, permitted to cure the entire monetary default that gave r possession was entered, and			
	Debtor has included in this petition the deposit with the	court of any rent that would	d become due during to	he 30-day
	period after the filing of the petition.  Debtor certifies that he/she has served the Landlord with	h this certification (11 U.S.	C § 362(1))	

Voluntary Petition Document

This page must be completed and filed in every case)

Nate ( Control of the control of the

Przybyla, David Anthony Michelle Victoria Przybyla

## **Signatures**

## Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

## /s/ David Anthony Przybyla David Anthony Przybyla

Dated: 04/29/2008

## /s/ Michelle Victoria Przybyla Michelle Victoria Przybyla

Dated: 04/29/2008

# Signature of Attorney /s/ Isaiah A Fishman

Signature of Attorney for Debtor(s)

## Isaiah A Fishman

Printed Name of Attorney & Bar Number Bar No: 6292809
LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603
312.332.1800 (PH) 312.332.6354 (FAX)

Dated: 05/14/2008

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only **one** box.)

□ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order

Signature of Foreign Representative

Date:

Printed Name of Foreign Representative

## << Sign & Date on Those Lines

## << Sign & Date on Those Lines

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)

### Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person,or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



### Page 4 of 44 Document UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Bankruptcy Docket #:

## **EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH** CREDIT COUSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunties for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.]
If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
 with a malar paralty of particulation information provided places in two and agreed

I certify under penalty of perjury that the information provided above is true and correct.

Dated: 04/29/2008 /s/ David Anthony Przybyla **David Anthony Przybyla** 



Sign & Date Here

# Document Page 5 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Bankruptcy Docket #:

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

Dated:	04/29/2008	/s/ Michelle Victoria Przybyla  Michelle Victoria Przybyla	Sign & Date Here
I certify	under penalty of perjury	that the information provided above is true and correct.	Sign & Data
does	5. The United States trustee or not apply in this district.	bankruptcy administrator has determined that the credit counseling requirement	nt of 11 U.S.C. § 109(h)
	Active military duty in a milit		
parti		.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reading in person, by telephone, or through the Internet.);	sonable effort, to
of re	alizing and making rational decision	J.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency ons with respect to financial responsibilities.);	·
by a	4. I am not required to receive a motion for determination by the c	a credit counseling briefing because of: [Check the applicable statement.] [Muourt.]	st be accompanied
prov dead perid	lit counseling briefing within the fir rided the briefing, together with a dline can be granted only for caus od. Failure to fulfill these requirer	easons stated in your motion, it will send you an order approving your request. rst 30 days after you file your bankruptcy case and promptly file a certificate fro copy of any debt management plan developed through the agency. Any extense and is limited to a maximum of 15 days. A motion for extension must be filed ments may result in dismissal of your case. If the court is not satisfied with your g a credit counseling briefing, your case may be dismissed.	m the agency that sion of the 30-day I within the 30-day
	s from the time I made my reques I can file my bankruptcy case now	edit counseling services from an approved agency but was unable to obtain the st, and the following exigent circumstances merit a temporary waiver of the cree. [Must be accompanied by a motion for determination by the court.] [Summar	dit counseling requirement
per a c	ited States trustee or bankruptcy a forming a related budget analysis	the filing of my bankruptcy case, I received a briefing from a credit counseling administrator that outlined the opportunties for available credit counseling and a s, but I do not have a certificate from the agency describing the services provided by describing the services provided to you and a copy of any debt repayment per your bankruptcy case is filed.	assisted me in ed to me. You must file
per	ited States trustee or bankruptcy a forming a related budget analysis	the filing of my bankruptcy case, I received a briefing from a credit counseling administrator that outlined the opportunties for available credit counseling and a standard and I have a certificate from the agency describing the services provided to may a payment plan developed through the agency.	assisted me in

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Isaiah A Fishman

## DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:

For legal services, Debtor(s) agrees to pay and I have agreed to accept

Prior to the filing of this Statement, Debtor(s) has paid and I have received

The Filing Fee has been paid.

\$3,500

\$3,500

2. The source of the compensation paid to me was:

Debtor(s) Other: (specify)

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.** 

- **4.** The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: **None.**
- 5. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first scheduled meeting of creditors.
- (d) Advice as required.

#### **CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

Dated: 05/14/2008 /s/ Isaiah A Fishman

Attorney Name: Isaiah A Fishman
LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603
312.332.1800 (PH) 312.332.6354 (FAX)

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Bar No: 6292809

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# Document Page 7 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
14823 Kildare Ave Midlothian, IL 60445 (Debtor's Residence)	Fee Simple	J	\$ 149,250	\$ 149,042

**Total Market Value of Real Property** 

(Report also on Summary of Schedules)

\$149,250.00



# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	A A A	Debtor's Propert Deduc	t Value of Interest in ty, Without cting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Checking account with - First Midwest Bank xxx7737	J	\$	200
		Savings account with - First Midwest xxx3945	J	\$	100
03. Security Deposits with public utilities, telephone companies, landlords and others.	X				
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods: TV, computer, sofa, loveseat, small appliances, table & chairs, washer/dryer, microwave, bed & dresser, tools, lawn mower, washer/dryer, microwave  AGF - TV	J	\$	2,000 500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures	J	\$	80
06. Wearing Apparel		, , , , , , , , , , , , , , , , , , ,			
		Necessary wearing apparel.	J	\$	100
07. Furs and jewelry.					
		JB Robinson - Jewelry	J	\$	150
		Earrings, watch, costume jewelry, wedding bands	J	\$	300
DEC Booord # 224569	 	  - 	rm B6F	3 (10/05)	Page 1 of 3

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

SCH	1EC	OULE B - PERSONAL PROPERTY		
Type of Property	NONE	Description and Location of Property	A A	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
08. Firearms and sports, photographic, and other hobby equipment.	X			
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X			
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars	X			
13. Stocks and interests in incorporated and unincorporated businesses.	X			
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts receivable	X			
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X			
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.		Expected Endoved Chimulaus Powers and		\$ 1,800
22. Patents, copyrights and other intellectual property. Give particulars.	Х	Expected Federal Stimulous Payments.	J	\$ 1,800
23. Licenses, franchises and other general intangibles.	X			
PEG Record # 324568	   <b> </b>	 	orm B6	B (10/05) Page 2 of 3

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

SCH	IEC	OULE B - PERSONAL PROPERTY		
Type of Property	NONE	Description and Location of Property	C H M	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X			
25. Autos, Truck, Trailers and other vehicles and accessories.				
		WF - 2002 Chevrolet Avalanche with over 90k miles	J	\$ 13,300
		2001 Dodge Grand Caravan with over 100k miles	J	\$ 2,965
26. Boats, motors and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplie used in business.	X			
30. Inventory	X			
31. Animals				
		Family Pets/Animals: a dog and a rabbit	J	none
32. Crops-Growing or Harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			
		Total (Report also on Summary of Schedules)		\$21,495

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## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

SCHEDULE C - PROPERTY	CLA	AIMED EXEMPT
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property  14823 Kildare Ave Midlothian, IL 60445 (Debtor's Residence)	735 ILCS 5/12-901	\$ 30,000	\$ 149,250
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.			
Checking account with - First Midwest Bank xxx7737	735 ILCS 5/12-1001(b)	\$ 200	\$ 200
Savings account with - First Midwest xxx3945	735 ILCS 5/12-1001(b)	\$ 100	\$ 100
04. Household goods and furnishings, including audio, video, and computer equipment.  AGF - TV	735 ILCS 5/12-1001(b)	\$ 250	\$ 500
Household goods: TV, computer, sofa, loveseat, small appliances, table & chairs, washer/dryer, microwave, bed & dresser, tools, lawn mower, washer/dryer, microwave	735 ILCS 5/12-1001(b)	\$ 2,000	\$ 2,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 80	\$ 80
06. Wearing Apparel			
Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100
07. Furs and jewelry.			
JB Robinson - Jewelry	735 ILCS 5/12-1001(b)	\$ 150	\$ 150
Earrings, watch, costume jewelry, wedding bands	735 ILCS 5/12-1001(b)	\$ 300	\$ 300

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# NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

SCHEDULE C - PROPERTY	CL/	AIMED EXEMPT
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875

11 U.S.C. § 522(b)(3)			
Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.			
Expected Federal Stimulous Payments.	735 ILCS 5/12-1001(b)	\$ 1,800	\$ 1,800
25. Autos, Truck, Trailers and other vehicles and accessories.			
WF - 2002 Chevrolet Avalanche with over 90k miles	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 13,300
2001 Dodge Grand Caravan with over 100k miles	735 ILCS 5/12-1001(c) 735 ILCS 5/12-1001(b)	\$ 2,400 \$ 565	\$ 2,965

# Document Page 13 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

PFG Record #

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.								
Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	H W J C	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
American General Finance Attn: Bankruptcy Department 3200 W. 159th St. Ste B Markham IL 60426 Acct No.: 6070 9170 5443		J	Dates: 2007 Nature of Lien: Non-Purchase Money Security Market Value: \$ 500 Intention: *Description: AGF - TV				\$ 2,603	\$ 2,103
2 HomEq Attn: Bankruptcy Dept. PO Box 13716 Sacramento CA 95853-3716 Acct No.: 6930 32583		J	Dates: 2006 Nature of Lien: Mortgage - Second Market Value: \$ 149,250 Intention: *Description: 14823 Kildare Ave Midlothian, IL 60445 (Debtor's Residence)				\$ 29,706	\$ 0
3 JB Robinson Jewelers Attn: Bankruptcy Department PO Box 740425 Cincinnati OH 45274 Acct No.: 305 702 7809		J	Dates: 2002 Nature of Lien: Purchase Money Sec Int - PMSI Market Value: \$ 150 Intention: *Description: JB Robinson - Jewelry				\$ 400	\$ 250
4 Saxon Mortgage Service Bankruptcy Department 4708 Mercantile Dr. Fort Worth TX 76137 Acct No.: 200019		J	Dates: 2004 Nature of Lien: Mortgage Market Value: \$ 149,250 Intention: *Description: 14823 Kildare Ave Midlothian, IL 60445 (Debtor's Residence)				\$ 119,236	\$ 0

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	A N L	* Date Claim was Incured	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
5 <u>Village of Midlothian</u> Attn: Bankruptcy Department 14801 Pulaski Rd. Midlothian IL 60445 Acct No.: 003 1646		J	Dates: Nature of Lien: Statutory Lien Market Value: \$ 149,250 Intention: None *Description: 14823 Kildare Ave Midlothian, IL 60445 (Debtor's Residence)				\$ 100	\$ 0
6 Wells Fargo Bankruptcy Dept PO Box 29704 Phoenix AZ 85038 Acct No.: 5023 1500 84823		J	Dates: 09/2007 Nature of Lien: Lien on Vehicle - PMSI Market Value: \$ 13,300 Intention: *Description: WF - 2002 Chevrolet Avalanche with over 90k miles				\$ 20,286	\$ 20,286

Total

\$ 172,331 | \$ 2

\$ 22,639

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

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In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYP	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	<b>Deposits by individuals</b> Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

<sup>\*</sup> Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

## SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Cr	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 ount of laim
1	Allstate Insurance Bankruptcy Department 75 Executive Pkwy Hudson OH 44237-0001 Acct #: 9113 72989		J	Dates: 2005 Reason: Insurance				\$ 500
2	Allstate Insurance Bankruptcy Department 75 Executive Pkwy Hudson OH 44237-0001 Acct #: 7247		J	Dates: 2004 Reason: Insurance				\$ 100
3	Associated Allergists Attn: Bankruptcy Dept. 1300 Reliable Pkwy Chicago IL 60686 Acct #: 8691		W	Dates: 2007 Reason: Medical/Dental Services				\$ 100

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## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

SCHEDULE F -	CREDITORS	Н	OL	DING UNSECURED NON-PR	IO	RI	ΓΥ	CLA	AIMS
Creditor's Name, Mailing A Zip Code and Accou (See Instructions A	nt Number	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed		ount of Claim
Attn: Bankruptcy Dept. PO Box 15168 Wilmington DE 19850 Acct #: 44354893001	5		J	Dates: 2001 Reason: Credit Card or Credit Use				\$	3,000
5 Beneficial Attn: Bankruptcy Dept. 961 N. Weigel Ave. Elmhurst IL 60126 Acct #: 411730 1652			J	Dates: 2005-2007 Reason: Credit Card or Credit Use				\$	16,900
Gapital One Bankruptcy Departmer PO Box 85520 Richmond VA 23285 Acct #: 5291 0725 96			W	Dates: 1999-2007 Reason: Credit Card or Credit Use				\$	1,700
Capital One Bankruptcy Departmer PO Box 85520 Richmond VA 23285 Acct #: 4862 3622 13			W	Dates: 2002-2007 Reason: Credit Card or Credit Use				\$	900
Bankruptcy Departmer Box 981439 EI Paso TX 79998 Acct #: 6019 1803 85			J	Dates: 2006-2007 Reason: Credit Card or Credit Use				\$	300
Century Ear, Nose & Attn: Bankruptcy Dept. 10660 W. 143rd St. Orland Park IL 60462  Acct #: 7247	<u>Throat</u>		Н	Dates: 2007 Reason: Medical/Dental Services				\$	100
Bankruptcy Departmer PO Box 3002 Southeastern PA 1939  Acct #: 8798 4017 60	8		W	Dates: 2004 Reason: Utility Bills/Cellular Service				\$	200

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# NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

SCHEDULE F - CREDITOR	SH	OL	DING UNSECURED NON-PR	IO	RI	ΓΥ	CLAIMS
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	L M H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
11 Commonwealth Edison Attn: System Credit/BK Dept 2100 Swift Dr. Oak Brook IL 60523 Acct #: 1051080044		Н	Dates: 2004 Reason: Utility Bills/Cellular Service				\$ 100
12 Compucredit Corp. Bankruptcy Department PO Box 723896 Atlanta GA 31139 Acct #: 4146 8200 0401		J	Dates: 2001-2005 Reason: Notice Only				\$ 0
13 <u>Discover Card</u> Bankruptcy Department 12 Reads Way New Castle DE 19720 Acct #: 6011 0073 9019 2069		w	Dates: 1999-2007 Reason: Credit Card or Credit Use				\$ 5,000
14 Gap Attn: Bankruptcy Dept. Branch C10T Mission KS 66201 Acct #: 6018 5950 1165		w	Dates: 2001-2007 Reason: Credit Card or Credit Use				\$ 100
15 Goodyear Bankruptcy Department Processing Center Des Moines IA 50364 Acct #: 7753 0120 0674 5300		Н	Dates: 2002 Reason: Credit Card or Credit Use				\$ 800
16 GoodYear Tire Attn: Bankruptcy Dept. PO Box 9714 Gray TN 37615 Acct #: 6035 5101 1158 0357		W	Dates: 2001-2007 Reason: Credit Card or Credit Use				\$ 1,500
17 Kohls Attn: Bankruptcy Dept. N 56 W 17000 Ridgewood Dr Menomonee Falls WI 53051 Acct #: 4623 454448		w	Dates: 2006-2007 Reason: Credit Card or Credit Use				\$ 900

Record # 324568

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

# 

Cr	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	A A A	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 unt of laim
18	Loans Shop Online Attn: Bankruptcy Dept. 73 Greentree Dr. Dover DE 19904 Acct #: 393687		J	Dates: 2007 Reason: PayDay Loan				\$ 500
19	Loyola Univ. Physician Fdn. Attn: Bankruptcy Department PO Box 88049 Chicago IL 60680 Acct #: 7247		Н	Dates: 2003 Reason: Medical/Dental Services				\$ 300
20	Menards Attn: Bankruptcy Department 90 Christina Rd Manor DE 19720 Acct #: 226601 010865		J	Dates: 2007 Reason: Credit Card or Credit Use				\$ 1,500
21	Nationwide Cash Bankruptcy Department 884 Town Center Dr. Langhorne PA 19047 Acct #: XXX XX 8691		J	Dates: 2007 Reason: PayDay Loan				\$ 700

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Nationwide Cash Bankruptcy Department 314 North Riverside Dr Espanola NM 87532

22 Nicor Gas  Bankruptcy Department PO Box 310 Aurora IL 60507	Н	Dates: 2004 Reason: Utility Bills/Cellular Se	ervice		\$ 100
Acct #: 37 29 71 4365					

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## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Cr	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H W	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
23	Old Navy Bankruptcy Department PO Box 105980 Dept. 72 Atlanta GA 30353 Acct #: 6018 5962 1133		W	Dates: 2004-2007 Reason: Credit Card or Credit Use				\$ 400
24	Palos Community Hospital Bankruptcy Department PO Box 739 Moline IL 61265 Acct #: 8691		W	Dates: 2007 Reason: Medical/Dental Services				\$ 100
25	Psychologist Contantine Bruns Attn: Bankruptcy Dept. 4500 W 147th St. Midlothian IL 60445 Acct #: 8691		J	Dates: 2006 Reason: Medical/Dental Services				\$ 100
26	Sam's Club Monogram Credit Card Bank 4605 Duke Dr. Mason OH 45040 Acct #: 7714 2604 4535		W	Dates: 1997-2007 Reason: Credit Card or Credit Use				\$ 2,600
27	Sears Bankruptcy Department 8725 W. Sahara Ave. The Lakes NV 89163 Acct #: 5121 0718 5493		W	Dates: 2000-2007 Reason: Credit Card or Credit Use				\$ 7,000
28	Sterling Inc. Bankruptcy Department 375 Ghent Rd. Fairlawn OH 44333 Acct #: 305702		J	Dates: 2001-2007 Reason: Credit Card or Credit Use				\$ 400
29	Target National Bank Bankruptcy Department PO Box 9745 Minneapolis MN 55440 Acct #: 4352 3717 1502 3991		W	Reason: Credit Card or Credit Use				\$ 1,400

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

## SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H M J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
30 Verizon Wireless  Bankruptcy Department PO Box 25505 Lehigh Valley PA 18002  Acct #: 480348154		J	Dates: 2002 Reason: Utility Bills/Cellular Service				\$ 200
31 Well Group Attn: Bankruptcy Dept. 38132 Eagle Way Chicago IL 60678 Acct #: 102309 BC		w	Dates: 2002 Reason: Medical/Dental Services				\$ 100
32 Wells Fargo Financial Bank Bankruptcy Department 3201 N. 4th Ave. Sioux Falls SD 57104 Acct #: 4071 1000 1215 0482		J	Dates: 2006-2007 Reason: Credit Card or Credit Use				\$ 3,700
33 Wells Fargo Financial Bank Bankruptcy Department 3201 N. 4th Ave. Sioux Falls SD 57104 Acct #: 9141 0000 0335 5261		J	Dates: 2006-2007 Reason: Credit Card or Credit Use				\$ 5,800

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 57,100.00



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In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

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In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	



# UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Isaiah A Fishman

if there is only one debtor repeat total reported on line 15.)

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEE	BTOR AND SPOUSE ~ RELATIONSHIP AND AGE
Status: Married	dependent, dependent, , ,	
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT
Occupation:	Union Carpenter	Unemployed
Name of Employer:	Clune Construction	
Years Employed	2 years	
Employer Address:	10 S. LaSalle STE 300	
City, State, Zip	Chicago, IL	,

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 6,546.80	\$ 0.00
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 6,546.80	\$ 0.00
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 1,567.89	\$ 0.00
b. Insurance	\$ 0.00	\$ 0.00
c. Union Dues	\$ 196.39	\$ 0.00
d. Other (Specify) Pension:	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 1,764.27	\$ 0.00
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 4,782.53	\$ 0.00
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
8. Income from real property	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income	\$ 0.00	\$ 0.00
(Specify:) & & &	·	
Unemployment Income	\$ 0.00	\$ 1,515.00
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 4,782.53	\$ 1,515.00
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 6,2	97.53

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

Record #: 324568 Form B6I (10/06) Page 1 of 1

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

## UNITED SPATESTBARKREFPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bankruptcy Docket #: David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse". 1. Rent or home mortgage payment (include lot rented for mobile home) a. Real Estate taxes included? [x] Yes [] No b. Property insurance included? [x] Yes [] No 2. Utilities: a. Electricity and Heating Fuel \$ 300.00 b. Water, Sewer, Garbage \$ 50.00 c. Cellphone, Internet \$ 120.00 d. Other **Home Phone and Cable Television** \$ 112.00 3. Home Maintenance (repairs and upkeep) \$ 50.00 4. Food \$ 500.00 5. Clothing \$75.00 6. Laundry and Dry Cleaning \$ 20.00 \$70.00 7. Medical and Dental Expenses \$855.00 8. Transportation (not including car payments) Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train 9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc. \$ 80.00 10. Charitable Contributions \$25.00 11. Insurance (not deducted from wages or included in home mortgage payments) \$ a. Homeowner's or Renter's \$68.00 b. Life \$c. Health d. Auto \$ 150.00 e. Other \$-12. Taxes (not deducted from wages or included in home mortgage payments) \$ -Federal or State Tax Repayments, Real Estate Taxes 13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan) \$a. Auto b. Reaffirmation Payments \$ c. Other \$-14. Alimony, maintenance and support paid to others \$-15. Payments for support of additional dependents not living at your home \$-16. Regular expenses from operation of business, profession, or farm (attach detailed statement) Childcare & Pet 17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Eyecare, Meds Postage/Banking Babysitting Care: GLS Repay: \$615.00 \$105.00 \$10.00 \$0.00 \$ 450.00 \$ 50.00 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and if applicable, on \$ 3,090.00 the Stastical of Summary of Certain Liabilities and Related Data. 19. Describe any increase/decrease in expenditures anticipated to occur within the year following the filing this document: 20. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I \$ 6,297.53 b. Average monthly expenses from Line 18 above \$3,090.00 c. Monthly net income (a. minus b.) \$ 3,207.53 \$3,200.00 d. Total amount to be paid into plan monthly

## Document Page 26 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None," If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2008: \$6,547/month 2007: \$76,365 2006: \$72,223	Employment	
Spouse		
AMOUNT	SOURCE	_

# Document Page 27 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

51	TATEMENT OF FINA	INCIAL AFFAIRS	
Spouse			
AMOUNT	SOURCE		
2008: \$9,556/YTD 2007: \$31,613 2006: \$26,542	Employment		
02. INCOME OTHER THAN FROM E	EMPLOYMENT OR OPERATION OF	BUSINESS:	
State the amount of income received the two years immediately preceding spouse separately. (Married debtors is filed, unless the spouses are separately.)	the commencement of this case. Gir filing under chapter 12 or chapter 13	re particulars. If a joint petition is file	ed, state income for each
AMOUNT	SOURCE		
Spouse			
AMOUNT	SOURCE		
2008: \$ 664/month	Unemployment		
03. PAYMENTS TO CREDITORS:			
Complete a. or b. as appropriate, and	ic.		
a. INDIVIDUAL OR JOINT DEBTOR services, and other debts to any cred value of all property that constitutes of that were made to a creditor on accordan approved nonprofit budgeting and payments by either or both spouses of	litor made within 90 days immediatel or is affected by such transfer is not l unt of a domestic support obligation creditor counseling agency. (Marrie	y proceeding the commencement of ess than \$600.00. Indicate with an or as part of an alternative repayment debtors filing under chapter 12 or	f this case if the aggregate asterisk (*) any payments ent schedule under a plan by r chapter 13 must include
Name and Address of Creditor	Dates of Payments	Amount Paid	Amount Still Owing
Saxon Mortgage Service 4708 Mercantile Dr. Fort Worth, TX 76137	monthly	\$1,233.13	\$119,236
HomEq	monthly	\$299.38	\$29,764

PO BOX 13716 Sacramento, CA 95853 Case 08-12312 Doc 1 Filed 05/14/08 Entered 05/14/08 17:03:32

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In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

03. PAYMENTS TO CREDITORS:

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and AddressDates ofAmountAmountof CreditorPaymentsPaidStill Owing	Malla Farra	monthly	\$577	\$20,286
				Amount Still Owing

Wells Fargo PO Box 29704 Phoenix, AZ 85038



b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address	Dates of	Amount Paid or Value of	Amount
of Creditor	Payment/Transfers	Transfers	Still Owing



c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of Creditor	Dates	Amount Paid or Value of	Amount
& Relationship to Debtor	of Payments	Transfers	Still Owing



04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

NONE X

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person for Whose Benefit Property was Seized

Date of Seizure Description and Value of Property

NONE

05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller

Date of Repossession, Foreclosure Sale, Transfer or Return

Description and Value of Property

NONE X

06. ASSIGNMENTS AND RECEIVERSHIPS:

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Assignee

Date Assignment

Terms of Assignment or Settlement

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Custodian Name & Location of Court Case Title & Number

Date of Order

Description and Value of Property

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

NONE

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person<br/>or<br/>OrganizationRelationship<br/>to Debtor,<br/>If AnyDate<br/>of<br/>GiftDescription<br/>and Value<br/>Of Gift



08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Description of Circumstances and, Value if Loss Was Covered in Whole or in of Property Part by Insurance, Give Particulars Loss

### 09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name andDate of Payment,<br/>AddressAmount of Money orAddressName of Payer if<br/>Other Than DebtorDescription and<br/>Value of Property

Law Office of Peter Francis Geraci 55 E. Monroe Street #3400

3,500.00 street #3400

Chicago, IL60603

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name andDate of Payment,Amount of Money orAddressName of Payer ifdescription andof PayeeOther Than DebtorValue of Property

Payment/Value:

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Date of Payment, Amount of Money or Name and Address Name of Payer if of Payee Other Than Debtor 2007

9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227

MMI/CCCS

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227 2007

\$50.00

description and

Value of Property

\$50.00

NONE X

### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Describe Property Transferee, Relationship Transferred and to Debtor Date Value Received

NONE

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of Date(s) Amount and Date Trust or of of Sale or other Device Transfer(s) Closing

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

NONE X

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution

Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not

Name and Address of Bank or Other Depository

Names & Addresses of Those With Access to Box or depository

Description of Contents

Date of Transfer or Surrender, if Any

NONE X

#### 13. SETOFFS:

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor

Date of Setoff

Amount of Setoff

NONE X

## 14. LIST ALL PROPERTY HELD FOR ANOTHER PERSON:

List all property owned by another person that the debtor holds or controls.

Name and Address of Owner

Description and Value of Property

Location of Property



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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

STATEMENT OF FINANCIAL AFFAIRS	

NONE X

15. PRIOR ADDRESS OF DEBTOR(S):

If debtor has moved within three (3) years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

	Name	Dates of
Address	Used	Occupancy

NONE

16. SPOUSES and FORMER SPOUSES:

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight (8) years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

Name

X

17. ENVIRONMENTAL INFORMATION:

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law

NONE

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

## Document Page 34 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

		every site for which the debtor prov	ded notice to a governmental unit of nd the date of the notice.	a release of Hazardous
	Site Name and Address	Name and Address of Governmental Unit	Date of Notice	Environmental Law
	or is or was a party. Indicate t		s or orders, under any Environmenta nental unit that is or was a party to th	•
Na		Docket	Status of	
a. If t endin partn imme withir	ng dates of all businesses in we ership, sole proprietor, or was ediately preceding the commen six (6) years immediately pr	Number  ME OF BUSINESS  the names, addresses, taxpayer ide which the debtor was an officer, direct self-employed in a trade, profession notement of this case, or in which the eceding the commencement of this of	Disposition  Intification numbers, nature of the bustor, partner, or managing executive in, or other activity either full- or parted debtor owned 5 percent or more of case.	of a corporation, partner in a time within six (6) years the voting or equity securities
a. If t endir partn imme withir	ATURE, LOCATION AND NA the debtor is an individual, list ag dates of all businesses in v ership, sole proprietor, or was diately preceding the comme a six (6) years immediately pr debtor is a partnership, list th ag dates of all businesses in v	Number  ME OF BUSINESS  the names, addresses, taxpayer ideal which the debtor was an officer, directly as self-employed in a trade, profession incement of this case, or in which the deceding the commencement of this case in the commencement of the case is names, addresses, taxpayer identification.	Disposition  Intification numbers, nature of the buctor, partner, or managing executive in, or other activity either full- or partected debtor owned 5 percent or more of	of a corporation, partner in a time within six (6) years the voting or equity securities nesses, and beginning and
a. If t endin partn imme within If the endin (6) ye	ATURE, LOCATION AND NA he debtor is an individual, list ng dates of all businesses in v ership, sole proprietor, or was diately preceding the comme n six (6) years immediately pr debtor is a partnership, list th ng dates of all businesses in v ears immediately preceding th	Number  ME OF BUSINESS  the names, addresses, taxpayer ideal which the debtor was an officer, directly self-employed in a trade, profession neement of this case, or in which the deceding the commencement of this case names, addresses, taxpayer ideal which the debtor was a partner or own the commencement of this case.  The names, addresses, taxpayer ideal to the names, addresses, taxpayer ideal taxp	Disposition  Intification numbers, nature of the bustor, partner, or managing executive in, or other activity either full- or parted debtor owned 5 percent or more of case.	of a corporation, partner in a time within six (6) years the voting or equity securities nesses, and beginning and or equity securities, within six nesses, and beginning and
a. If t endir partn imme withir If the endir (6) ye	ATURE, LOCATION AND NA he debtor is an individual, list ng dates of all businesses in v ership, sole proprietor, or was diately preceding the comme n six (6) years immediately pr debtor is a partnership, list th ng dates of all businesses in v ears immediately preceding th	Number  ME OF BUSINESS  the names, addresses, taxpayer idealy idealy idealy in a trade, profession not in the certain the commencement of this case, or in which the deciding the commencement of this case is enames, addresses, taxpayer idealy ideal	Disposition  Intification numbers, nature of the bustor, partner, or managing executive in, or other activity either full- or parted debtor owned 5 percent or more of case.  Ification numbers, nature of the busined 5 percent or more of the voting of the final final file.	of a corporation, partner in a time within six (6) years the voting or equity securities nesses, and beginning and or equity securities, within six nesses, and beginning and

## Document Page 35 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

has been, within six years imme executive, or owner of more that	ediately preceding the commencement an 5 percent of the voting or equity sec	a corporation or partnership and by any individual debtor who is of this case, any of the following: an officer, director, managing urities of a corporation; a partner, other than a limited partner, or or other activity, either full- or part-time.
` •	eceding the commencement of this cas	ment only if the debtor is or has been in business, as defined at e. A debtor who has not been in business within those six years
19. BOOKS, RECORDS AND	FINANCIAL STATEMENTS:	
List all bookkeepers and account the keeping of books of account	` · · ·	iately preceding the filing of this bankruptcy case kept or superv
Name and Address	Dates Services Rendered	
	. , .	preceding the filing of this bankruptcy case have audited the boo
	who within two (2) years immediately ed a financial statement of the debtor.  Address	preceding the filing of this bankruptcy case have audited the boo Dates Services Rendered
account and records, or prepare . Name  19c. List all firms or individuals	ed a financial statement of the debtor.  Address	Dates Services Rendered  of this case were in possession of the books of account and rec
account and records, or prepare . Name  19c. List all firms or individuals	ed a financial statement of the debtor.  Address  who at the time of the commencement	Dates Services Rendered  of this case were in possession of the books of account and rec
naccount and records, or prepared.  Name  19c. List all firms or individuals of the debtor. If any of the book  Name  19d. List all financial institutions	Address  who at the time of the commencement of account and records are not available.  Address	Dates Services Rendered  of this case were in possession of the books of account and reable, explain.

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In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

	STATEMENT OF FIN		
20. INVENTORIES			
List the dates of the last to the dollar amount and bas	wo inventories taken of your property, the names of each inventory.	ne of the person who supervised the ta	aking of each inventory,
Date of	Inventory	Dollar Amount of Inventory (specify cost, market of other	
Inventory	Supervisor	basis)	
b. List the name and addr	ess of the person having possession of the re	ecords of each of the inventories repor	ted in a., above.
Date of Inventory	Name and Addresses of Custodian of Inventory Records		
	RS, OFFICERS, DIRECTORS AND SHAREH		
	RS, OFFICERS, DIRECTORS AND SHAREH rship, list nature and percentage of interest of Nature of Interest		
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp	rship, list nature and percentage of interest o	f each member of the partnership.  Percentage of Interest  oration; and each stockholder who directions	ectly or indirectly owns,
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp	Nature of Interest  overation, list all officers & directors of the corp	f each member of the partnership.  Percentage of Interest  oration; and each stockholder who directions	ectly or indirectly owns,
a. If the debtor is a partne  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m  Name and Address	Nature of Interest  overation, list all officers & directors of the corpore of the voting or equity securities of the corpore of the voting of the voting of the voting of the corpore of the voting of	Percentage of Interest  Oration; and each stockholder who directorporation.  Nature and Percentage of Stock Ownership	ectly or indirectly owns,
a. If the debtor is a partner  Name and Address  21b. If the debtor is a corp controls, or holds 5% or m  Name and Address	Nature of Interest  Overation, list all officers & directors of the corpore of the voting or equity securities of the corpore.  Title	Percentage of Interest  Oration; and each stockholder who direction.  Nature and Percentage of Stock Ownership  DLDERS:	

## Document Page 37 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

	STATEMENT OF FIN	ANUAL AFFAIRS	
22b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one (1) year immediately preceding the commencement of this case.			
Name and Address	Title	Date of Termination	
	PARTNERSHIP OR DISTRIBUTION BY		
		utions credited or given to an insider, including compensati ner perquisite during one year immediately preceding the	on in a
Name and Address of Recipient, Relationship to Debtor	Date and Purpose of Withdrawal	Amount of Money or Description and value of Property	
24. TAX CONSOLIDATION GR	ROUP:		
If the debtor is a corporation, lis		eation number of the parent corporation of any consolidated thin six (6) years immediately preceding the commencement	
If the debtor is a corporation, lis for tax purposes of which the de			
If the debtor is a corporation, lis for tax purposes of which the decase.  Name of	ebtor has been a member at any time wi Taxpayer		
If the debtor is a corporation, lis for tax purposes of which the decase.  Name of Parent Corporation  25. PENSION FUNDS:	Taxpayer Identification Number (EIN)		as an

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF FINANCIAL AFFAIRS

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 04/29/2008 /s/ David Anthony Przybyla

**David Anthony Przybyla** 

X Date & Sign

Dated: 04/29/2008 /s/ Michelle Victoria Przybyla

Michelle Victoria Przybyla

X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

# Document Page 39 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

## STATEMENT OF INTENTION

- 1. Debtor(s) have filed a schedule of assets/liabilities including consumer debts secured by property of the estate.
- 2. Debtor(s) intention with respects to their property of the estate which secures those consumer debts is as follows:
- Debtor(s) understand that 521(2)(B) of the Bankruptcy Code requires that the below stated intentions must be performed within 45 days of filing.

Description of Property Creditor's Name Intention

PROPERTY TO BE RETAINED

[x] None

Dated:

\*524(c): Debt will be reaffirmed pursuant to Sec. 524(c)

04/29/2008

\*722: Property is claimed as exempt and will be redeemed pursuant to Sec. 722

## I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 04/29/2008 /s/ David Anthony Przybyla

**David Anthony Przybyla** 

/s/ Michelle Victoria Przybyla

Michelle Victoria Przybyla

X Date & Sign

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property:

Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

# Document Page 40 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Attorney for Debtor: Isaiah A Fishman

## **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

	Attached		AMOUNTS SCHEDULED		
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$149,250	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$21,495	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$172,331	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$57,100	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$6,298
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$3,090
TOTALS			\$ 170,745 TOTAL ASSETS	\$ 229,431 TOTAL LIABILITIES	

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Isaiah A Fishman

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 0

## State the following:

Average Income (from Schedule I, Line 16)	\$ 6,297.53
Average Expenses (from Schedule J, Line 18)	\$ 3,090.00
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 9,302.13

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 22,639.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 57,100.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 79,739.00

## Document UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Isaiah A Fishman

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

X Date & Sign 04/29/2008 Dated: /s/ David Anthony Przybyla **David Anthony Przybyla** 

/s/ Michelle Victoria Przybyla Dated: 04/29/2008 Michelle Victoria Przybyla

X Date & Sign

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

## DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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In re

David Anthony Przybyla, and Michelle Victoria Przybyla / Debtors

Attorney for Debtor: Isaiah A Fishman

## **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 04/29/2008 /s/ David Anthony Przybyla

**David Anthony Przybyla** 

X Date & Sign

Dated: 04/29/2008

PFG Record #

/s/ Michelle Victoria Przybyla

Michelle Victoria Przybyla

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

David Anthony Przybyla and Michelle Victoria Przybyla, Debtors

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

In re

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

## 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ David Anthony Przybyla Sign & Date Dated: 04/29/2008 Here **David Anthony Przybyla** /s/ Michelle Victoria Przybyla 04/29/2008 Sign & Date Dated: Michelle Victoria Przybyla Here /s/ Isaiah A Fishman 05/14/2008 Dated: Attorney: Isaiah A Fishman Bar No: 6292809

PFG Record # 324568